

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

|                           |   |                    |
|---------------------------|---|--------------------|
| DIANA ZOE ELLIS,          | ) |                    |
|                           | ) |                    |
| Plaintiff,                | ) | NO. CV-05-279-LRS  |
|                           | ) |                    |
| -vs-                      | ) | ORDER OF DISMISSAL |
|                           | ) |                    |
| TRANSUNION, EXPERIAN, and | ) |                    |
| EQUIFAX,                  | ) |                    |
|                           | ) |                    |
| Defendants.               | ) |                    |
|                           | ) |                    |

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On October 13, 2005, the Court entered an Order directing the Plaintiff to file an amended complaint, after finding the plaintiff's pleadings failed to meet the minimum requirements of Federal Rule of Civil Procedure 8. On October 24, 2005, the Court entered a second order granting the plaintiff leave to amend, after plaintiff filed a response which did not comply with the Court's October 13<sup>th</sup> order. The deadline for plaintiff to file an Amended Complaint was December 14, 2005. Plaintiff filed pleadings on October 31, 2005 and November 1, 2005 which assert disagreement with the Court's October 24<sup>th</sup> order and claim the Court and the Clerk of the Court have not properly processed this case.

The Court has given the plaintiff two opportunities to amend her complaint to bring it in compliance with federal law and the local rules. The Court is mindful that the plaintiff is proceeding *pro se* and that his submissions should be held to less stringent standards than formal

1 pleadings drafted by lawyers. However, plaintiff's pleadings have wholly  
2 failed to comply with this Court's orders. Thus the defects of  
3 Plaintiff's complaint remain uncured. The Court's October 24<sup>th</sup> Order  
4 advised the plaintiff that should she fail to file an Amended Complaint  
5 on or before December 14<sup>th</sup> or fail to comply with the Court's orders, this  
6 action would be dismissed in its entirety. Accordingly, Plaintiff's  
7 failure to file an amended complaint as instructed, leaves this Court  
8 with no choice but to dismiss this action. Should plaintiff wish to  
9 refile her case, she must file a complaint complying with the Federal  
10 Rules of Civil Procedure and the Local Rules of this Court.

11 **IT IS HEREBY ORDERED:**

12 For the reasons set forth above and pursuant to 28 U.S.C. § 1915(e),  
13 this action is dismissed without prejudice. The court certifies,  
14 pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision  
15 could not be taken in good faith.

16 **IT IS SO ORDERED.** The District Court Executive is ordered to  
17 provide copies of this Order to the Plaintiff and close the file.

18 **DATED** this 14th day of February, 2006.

19 *s/Lonny R. Suko*

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21 LONNY R. SUKO  
22 UNITED STATES DISTRICT JUDGE  
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